

**CITY COUNCIL
PUBLIC SPEAKING SESSION
JUNE 21, 2010
6:30 pm**

ATTENDANCE: Council members: Brannelly, M. McCarthy, A. Ayala, Taylor-Moye, Walsh, T. McCarthy, Vizzo-Paniccia, dePara, Silva, M. Ayala
Martinez, Paoletto, Curwen, Baker

ABSENT: Council members: Brantley, Austin, Lyons, Bonney, Blunt, Holloway

Council President McCarthy called the public speaking session to order at 6:36 pm.

He announced that the Board of Education asked them to move the meeting from council chambers to the Wheeler room, to allow room for approximately (200) people that were attending the finance meeting. He thanked everyone for their patience.

Council President McCarthy directed the public speakers to stand to the right at the end of the table to address the council.

THE FOLLOWING NAMED PERSONS HAVE REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, JUNE 21, 2010, AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

NAME

SUBJECT

Michael Costello
255 Judith Terrace
Stratford, CT 06614
(Bridgeport Property Taxpayer)

Economic Racial Discrimination

Mr. Costello stated that he lived in Stratford and he owned property in Bridgeport. He asked if he could reschedule to be heard when the meeting is held in council chambers. Council President McCarthy acknowledged he could do that.

Mr. Costello spoke about the City of Bridgeport have three different percentages for minority groups, when it came to property appraisals and assessments. The state statute calls for 30% of the appraised value. He further talked about houses selling in different municipalities, in relation to how much the property is assessed for; particularly an area on Stratford Avenue that is over assessed. He commented that assessments are outrageous that you find anywhere else in the country. He emphasized that there was a lack of caring when it comes to assessing a 20% increase, while other assessments are done at 5%. He

thought this was a clear case of discrimination that boils down to taking from people that can least afford it, to make it easy for those that can afford it.

Helen Olga Losak
304 Bradley Street
Bridgeport, CT 06610

The need to enforce the City Charter
residency requirement to serve on
Boards and Commissions

Ms. Losak revisited an issue outlined in the city charter regarding residency requirements for those that serve on boards and commissions. She read the section of the charter that indicated that those serving on boards and commissions must be residents. She further read a section of what qualifies a person as a resident. She emphasized that the charter is clear that it means residency. She gave the following examples of businesses that don't qualify: Primrose Construction (Civil Service Commissioner, Mrs. Guedes), has a business address with no inhabitants. She stated this was a direct violation of the charter that should end. She expressed that there were many talented Bridgeporter's that were available to serve on boards and commissions - *she offered her availability to serve.*

Cecil C. Young
99 Carroll Avenue
Bridgeport, CT 06607

Sewage in P.T. Barnum Apartments
basements and Mayor's response to
medical benefits

Mr. Young stated that he had the right to express himself. He spoke about speaking the truth about justice and he said he was proud to be an American (*he held up the American flag to make his point*). He recalled that he did the right thing speaking out about the raw sewage problem and he disagreed with what he was told that the problem had been solved during the year 2005 by a member of the P.T. Barnum Housing Association. He asked that the city council do their job in reference to issues brought forth and ignored. He questioned why certain issues aren't addressed. He recalled that a video and pictures were shown during the council meeting last month of rodent droppings at the P. T. Barnum Apartments due to the raw sewage problem. He further recalled that he spoke to other city officials about the problem but nothing was done. He said he was upset that Council President McCarthy nor anyone else on the council didn't respond to the problem. He stressed that people shouldn't have to live like that.

Ken Hayes

signed up tonight to speak

Mr. Hayes stated that he was the owner of the Gathering of the Vibes Festival. He thanked the city council for allowing it to be held at Seaside Park once again this year. He mentioned that the Ordinance Committee voted to support the ban on allowing nitrous oxide(laughing gas) in the city parks. He further mentioned the nitrous oxide dealers that sell balloons full of the gas that is a nasty drug. He was glad they supported the ban.

The public speaking session ended at 6:58 pm.

Council President repeated his announcement that due to a request, the City Council meeting would be held in the Wheeler Room, because of the BOE Finance meeting being held in council chambers with approximately two-hundred (200) people in attendance.

CITY COUNCIL MEETING

Monday, June 21, 2010

7:00 pm.

**City Council Chambers, City Hall - 45 Lyon Terrace
Bridgeport, Connecticut**

ATTENDANCE: Council members: Brannelly, M. McCarthy, A. Ayala, Taylor-Moye, Brantley, Walsh, T. McCarthy, Lyons, Vizzo-Paniccia, Bonney, *Blunt, dePara, Silva, M. Ayala, Martinez, Paoletto, Curwen, Baker

*= arrived late

ABSENT: Council members Holloway

Mayor Finch called the meeting to order at 7:03 pm.

Prayer	-	the prayer was offered by Council member Taylor-Moye.
Pledge of Allegiance	-	the pledge was led by Mayor Finch.
Roll Call	-	the city clerk took the roll call and announced there was
a		quorum.

Mayor Finch thanked everyone for being flexible moving to the Wheeler Room to conduct the city council meeting tonight.

MINUTES FOR APPROVAL:

Approval of City Council Minutes: May 17, 2010

**** COUNCIL MEMBER BRANTLEY MOVED TO ACCEPT THE MINUTES**
**** COUNCIL MEMBER TAYLOR-MOYE SECONDED**
**** MOTION PASSED UNANIMOUSLY**

City Council Citation: Richard M. Paoletto, Jr. in recognition for his election as President of the Connecticut Association of Housing Code Enforcement Officials.

Mayor Finch and Council President McCarthy presented Council member Paoletto with the citation. Mayor Finch stated that Council member Paoletto was previously the President of the Connecticut Association of Housing Code Enforcement and a statewide leader. He expressed his appreciation and hard work done – *he read the citation* that recognized his leadership, hard work and commitment to the citizens of Bridgeport.

Mayor Finch commented that he has been to the meetings and Council member Paoletto was definitely looked up to as a statewide leader in the field.

Council President McCarthy read the citation from the Bridgeport City Council; offering their sincerest congratulations in recognition of being the President of the Connecticut Association of Housing Code Enforcement .

Mayor Finch further commented that everyone relies on the Housing Code Department for assistance.

Council member Paoletto expressed that the citation meant a lot coming from the Mayor and his colleagues. He stated that he has come a long way during his 18 years working in the field, although he didn't know at the time that would be his profession.

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

**** COUNCIL MEMBER CURWEN MOVED TO REFER COMMUNICATIONS TO COMMITTEES**
**** COUNCIL MEMBER SILVA SECONDED**

104-09 Communication from City Attorney re Proposed Settlement Agreement with International Association of Firefighters, Local 843, referred to Miscellaneous Matters Committee.

105-09 Communication from Central Grants and Community Development re Grant Submission: State Department of Public Health for FY 2010-2011 Preventive Health and Health Services Block Grant Program, referred to Economic and Community Development and Environment Committee.

106-09 Communication from Central Grants and Community Development re Grant Submission: State Department of Public Health for FY 2010-2011 Per Capita Grant Program, referred to Economic and Community Development and Environment Committee.

107-09 Communication from City Attorney re Twenty day notice to Settle Litigation pursuant to Municipal Code Section 2.10.130: Gregory Chastine,
ACCEPTED AND MADE PART OF THE RECORD.

- 108-09** Communication from City Attorney re Proposed amendment to the Municipal Code of Ordinances, Chapter 13.10 The City of Bridgeport Energy Improvement District and Energy Improvement District Board, amend Section 13.10.030 Board, Subsection A, referred to Ordinance Committee.
- 110-09** Communication from OPED re Resolution Authorizing the Acquisition of 405 Knowlton Street, referred to Economic and Community Development and Environment Committee.
- 111-09** Communication from OPED re Resolution Authorizing the Acquisition of 305 Knowlton Street, referred to Economic and Community Development and Environment Committee.
- 112-09** Communication from City Attorney re Proposed Sale and Ground Lease Agreement for property located at Sikorsky Memorial Airport with GAMA Aviation Inc. for use as a Corporate Headquarter Operations, referred to Contracts Committee.

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MOTION PASSED UNANIMOUSLY

ITEMS FOR IMMEDIATE CONSIDERATION:

- 109-09** Communication from City Attorney re Amendment to Resolution 68-09 adopted May 3, 2010 re: Agreement with the State for the Construction, Inspection and Maintenance of Pavement Rehabilitation Improvements on Iranistan Avenue and Capitol Avenue utilizing Federal Funds under The American Recovery and Reinvestment Act of 2009 Public Law 111-5., State Project No. 15-343; Federal-Aid Project No. 1015(119) **FOR IMMEDIATE CONSIDERATION**

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COUNCIL MEMBER BRANTLEY MOVED TO WAIVE REFERRAL TO COMMITTEE

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COUNCIL MEMBER PAOLETTO SECONDED

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MOTION PASSED UNANIMOUSLY

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COUNCIL MEMBER T. MCCARTHY MOVED TO APPROVE

**

COUNCIL MEMBER PAOLETTO SECONDED

**

MOTION PASSED UNANIMOUSLY

Council member T. McCarthy stated a point of order, to say that there were new rules for items for immediate consideration. He explained that notice must be given to the city council as soon as possible. He mentioned that Attorney Trachtenburg was the first person to adhere to that rule. He urged the council members to pay attention to their emails for future immediate consideration requests.

Mayor Finch commented that he appreciated the new rule. He noted that due to stimulus package items from Washington, the rule was necessary at this time.

RESOLUTIONS REFERRED TO BOARDS, COMMISSIONS, ETC.:

- 103-09** Resolution presented by Council Member Baker re Request that the Information Technology Services Department introduce and maintain a comprehensive directory of contact information for departments and staff in a format that can be printed and copied, referred to Miscellaneous Matters Committee.

**** COUNCIL MEMBER T. McCARTHY MOVED TO APPROVE**
**** COUNCIL MEMBER BAKER SECONDED**
**** MOTION PASSED UNANIMOUSLY**

MATTERS TO BE ACTED UPON (CONSENT CALENDAR):

Council member Walsh requested to remove items *75-09; *61-09; *67-09 and *99-09 from the consent calendar.

The city clerk read the remaining items into the record.

**** COUNCIL MEMBER CURWEN MOVED TO APPROVE THE REMAINING ITEMS**
**** COUNCIL MEMBER BRANTLEY SECONDED**

- * 75-09** Ordinance Committee Report re Amendment to the Municipal Code of Ordinances, Chapter 12.28 Park Use Regulations, amended to add new Section 12.28.200 Nitrous oxide prohibited in parks. - ***removed***
- * 61-09** Contracts Committee Report re Lease – Purchase Agreement with OshKosh Capital (Financing Company for Pierce Manufacturing) for two new fire engines. - ***removed***
- * 67-09** Contracts Committee Report re Collective Bargaining Agreement with AFSCME, Local 1303-272, City Attorney's Union for the period of July 1, 2009 thru December 31, 2013. - ***removed***
- * 76-09** Contracts Committee Report re Amendment No. 1 to the City's Deferred Compensation Plan under I.R.C. Section 457.
- *100-09A** Contracts Committee Report re Administrative Services Only Agreement with Connecticut General Life Insurance Company for Group Medical Benefits to commence on July 1, 2010 and continue in force for 36 months.

- ***100-09B** Contracts Committee Report re Performance Guarantee Agreement with Connecticut General Life Insurance Company for Group Medical Benefits to commence on July 1, 2010 and continue in force for 36 months.
- * **98-09** Budget and Appropriations Committee Report re Municipal Suspense Tax Book.
- * **99-09** Budget and Appropriations Committee Report re Budget Transfer to Comply with Minimum Budget Requirements (MBR) From: Board of Education Dedicated Use (\$123,109) To: Classroom Teacher Salaries (\$123,109). - **removed**
- ** MOTION PASSED UNANIMOUSLY**

The agenda returned to the the items that were removed.

- * **75-09** Ordinance Committee Report re Amendment to the Municipal Code of Ordinances, Chapter 12.28 Park Use Regulations, amended to add new Section 12.28.200 Nitrous oxide prohibited in parks.
- ** COUNCIL MEMBER PAOLETTO MOVED TO APPROVE**
- ** COUNCIL MEMBER M. McCARTHY SECONDED**

Council member Walsh stated that he was troubled by the request. He recalled that in the past an inadequate job has been done patrolling drug use at the Gathering of the Vibes and there have been a number of people that ended up in the hospital for far more serious drugs than nitrous oxide. He felt that the police should be more diligent in policing the drug laws. He further recalled that there have been overdoses and people found dead at the event. He said he would vote against the item because not enough was being done to patrol the drug use.

Council member M. McCarthy stated that the police force has tried to enforce the law, but there is a lot of organized crime associated with the nitrous oxide problem. He further expressed that the event showcased one of the nicest beaches in the city.

Council member T. McCarthy stated that if Council member Walsh thought there were major issues with other drugs at the event, the matter should be referred to the police. He agreed there has been abuse associated with nitrous oxide and that they had the right to control what happens in the parks. He also agreed that the event showcased one of the nicest parks in the city.

Council member Taylor-Moye mentioned that she has researched the effects of nitrous oxide and found it to be bad. She felt they should be in support of controlling the legal drug that has detrimental effects.

Council member Blunt stated that the ban could only help. However, he questioned how it could be controlled.

Mayor Finch responded that canisters are usually smuggled in to the park. He recalled that he camped out at the event last year and he had a good time, however, he said there is an organized effort to smuggle the canisters in. He urged that if anyone had knowledge of illegal drug use, they should report it to the police. Overall, he was in support of the ban.

Council member Blunt stated that he was in favor of controls to help make the festival safe and responsible.

Council member Walsh requested that within two weeks of the end of the Gathering of the Vibes, the city council should be given a list of all drug arrests, felonies and nitrous oxide violations.

Council member Paoletto stated that as a co-maker of the ordinance, he thanked his colleagues for their support of the ban. He noted that the problem is evident throughout the country and since the Gathering of the Vibes came to them requesting help, it was seen as a good sign. He expressed that he was glad the Mayor and his colleagues were behind the resolution. And he thanked Tom White for all the research he did.

Council member A. Ayala asked if they wanted to add Council member Walsh's amendment to the resolution. He recapped the suggestion to request the number of arrests made, the types of drugs used etc. He agreed with the ban and he said he was in support of the request.

Council member T. McCarthy stated that since the ordinance already passed, it was too late to add the amendment. However, he attested that he would personally obtain the information Council member Walsh requested following the event.

Mayor Finch commented that they also needed to look at the positives of the event, so he suggested that a full report should be requested from the police chief and Charlie Carroll.

**** MOTION PASSED UNANIMOUSLY**

***61-09** Contracts Committee Report re Lease – Purchase Agreement with OshKosh Capital (Financing Company for Pierce Manufacturing) for two new fire engines.

**** COUNCIL MEMBER CURWEN MOVED TO APPROVE**
**** COUNCIL MEMBER dePARA SECONDED**

Council member Silva stated that this item came up in the Contracts Committee and the language was given to the city clerk, but it wasn't what was submitted tonight.

Attorney Pacacha explained that when it was originally submitted, it was for the lease purchase of two (2) fire trucks, but then they determined that they would only purchase one fire truck, so changes were required. A new resolution was submitted with the loan documents attached - *he distributed the new resolution for review.*

**** COUNCIL MEMBER SILVA MOVED TO AMEND THE ITEM TO REFLECT THE
NEW LANGUAGE SUBMITTED
** COUNCIL MEMBER A. AYALA SECONDED**

Council member Curwen asked how they were budgeting for the purchase. Mr. Sherwood said it would go through the operational expense.

Deputy Fire Chief Petrucelli stated that the department was in dire need of the pumper. They currently have two (2) from 1982 that have outlived their usefulness and they are unsafe. They also refurbished two (2) other pumpers that are in good condition. So all told, they will have three (3) good functioning pumpers.

Council member Brannelly asked if there was a second resolution for the second truck. Deputy Fire Chief Petrucelli said no, because they were now only purchasing one pump.

Council member Walsh referred to paragraph 15. Purchase Option outlined in the copy of the resolution. He questioned what they committed to purchasing the equipment for at the expiration of the lease. Attorney Pacacha said it was just a form of the agreement. The agreement is to purchase at least one pump and Oshkosh Capital will send the final agreement. If they make the first payment in December, there may be an adjustment. However, if the truck isn't delivered on time, there will be a penalty to Pearce.

Council member Brantley asked which firehouses the pumps were going to. Deputy Fire Chief Petrucelli said they were going to: Engine 10 located at 950 Boston Avenue and Engine 12 located at 265 Beechmont Avenue.

Council member Brannelly asked what the end of the lease terms were. Deputy Fire Chief Petrucelli clarified that assuming they receive the truck in December and they made the first payment, there will be ten (10) payments made of \$46,776.55 annually. It will come entirely out of the fire department's expense account and paid for in full upon the tenth payment that is made.

**** MOTION PASSED UNANIMOUSLY**

*** 67-09** Contracts Committee Report re Collective Bargaining Agreement with AFSCME, Local 1303-272, City Attorney's Union for the period of July 1, 2009 thru December 31, 2013.

**** COUNCIL MEMBER SILVA MOVED TO APPROVE
** COUNCIL MEMBER CURWEN SECONDED**

Council member Silva stated that the item passed in committee and the correct information was given out.

Council member Walsh said that when he looked at the agenda for the meeting, he questioned why they were allowing the city attorney's office to be a member of the collective bargaining unit. He noted that state statute exempts them from being a member.

He urged his colleagues to vote against the item for the purpose of getting clarification on the rights to allow the practice to continue.

Council member T. McCarthy said the way the city set it up, it allows for the city attorney to be a member of the day to day collective bargaining unit. The practice has been in place so long, because the law won't allow it nor the practice of it to be changed.

Council member Walsh said **allow** was the key word, but the council is not required to allow it, because their duties go beyond what the law allows. He said he would vote against the item.

Council member T. McCarthy said that's the reason they have a Labor Relations Department who are knowledgeable about collective bargaining issues.

**** MOTION PASSED WITH EIGHTEEN VOTES IN FAVOR AND TWO VOTES IN OPPOSITION (COUNCIL MEMBERS BONNEY and WALSH)**

***99-09** Budget and Appropriations Committee Report re Budget Transfer to Comply with Minimum Budget Requirements (MBR) From: Board of Education Dedicated Use (\$123,109) To: Classroom Teacher Salaries (\$123,109).

**** COUNCIL MEMBER CURWEN MOVED TO APPROVE**
**** COUNCIL VIZZO-PANICCIA SECONDED**

Council member Curwen stated that the item came before the Budget & Appropriations Committee and it passed unanimously. The item pertained to the portion that the city is required to pay and the money is available to cover it.

Council member Walsh questioned that last year, it was reported that the BOE gave back the money to the city, whether it was voluntary or involuntary, if the MBR wasn't an issue. He asked if the MBR was an issue or not. Mr. Sherwood replied that the state determined that when a dollar amount is appropriated, it determines that. However, now that it has been appropriated into the BOE budget, they only have one week to spend the \$192 million. Although it's realized that they probably won't spend it all, he clarified that the savings will probably be yielded back again. Council member Walsh questioned whether the BOE had nine to twelve months to go beyond the fiscal year. Mr. Sherwood said the invoices must be dated by June 30 for the receipt of goods.

**** MOTION PASSED UNANIMOUSLY**

OTHER BUSINESS:

**** COUNCIL MEMBER dePARA MOVED TO SUSPEND THE RULES FOR THE PURPOSE OF ADDING (8) ITEMS TO THE AGENDA**
**** COUNCIL MEMBER M. McCARTHY SECONDED**
**** MOTION PASSED UNANIMOUSLY**

Council member dePara noted that the items were time sensitive to meet the grants deadline of June 30.

**** COUNCIL MEMBER CURWEN MOVED TO CONSOLIDATE AND APPROVE THE
(8) ITEMS BY COMMUNICATION # 72-09; 82-09; 83-09; 85-09; 86-09; 87-09
89-09 and 92-09
** COUNCIL MEMBER PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

ADJOURNMENT

**** COUNCIL MEMBER T. McCARTHY MOVED TO ADJOURN
** COUNCIL MEMBER CURWEN SECONDED
** MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:57 pm.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services